

REMARKS

This Application has been carefully reviewed in light of the Notification of Non-Compliant Appeal Brief issued November 29, 2007. Claims 1-20 are pending in this Application and have been appealed. Applicants respectfully request reconsideration and favorable action in this Application.

In the Notification of Non-Compliant Appeal Brief, there has been no showing that the substitute appeal brief is not in compliance with 37 C.F.R. §41.37(c). The Substitute Appeal Brief includes the real party in interest section (37 C.F.R. §41.37(c)(1)(i)), the related appeals and interferences section (37 C.F.R. §41.37(c)(1)(ii)), the status of the claims section (37 C.F.R. §41.37(c)(1)(iii)), the status of amendments section (37 C.F.R. §41.37(c)(1)(iv)), the summary of claimed subject matter section (37 C.F.R. §41.37(c)(1)(v)), the grounds of rejection to be reviewed on appeal section (37 C.F.R. §41.37(c)(1)(vi)), the argument section (37 C.F.R. §41.37(c)(1)(vii)), the claims appendix section (37 C.F.R. §41.37(c)(1)(viii)), the evidence appendix section (37 C.F.R. §41.37(c)(1)(ix)), and the related proceedings appendix section (37 C.F.R. §41.37(c)(1)(x)). The substitute appeal brief does not include any new or non-admitted amendment, or any new or non-admitted affidavit or other evidence (37 C.F.R. §41.37(c)(2). Attached herewith is the Substitute Appeal Brief for submission in response to the Notification of Non-Compliant Appeal Brief.

The Examiner states that the arguments do not comply with 37 C.F.R. §1.111(c) because they do not clearly point out the patentable novelty that the claims present in view of the art. This issue has only now been raised in response to filing of the appeal and was never raised in any office action while prosecution was open in this Application. Despite the improper omnibus nature of the rejections to the claims,

Applicant has clearly pointed out the patentable novelty of the claims and the deficiencies of the prior art cited by the Examiner. Applicant has consistently shown how the claims are supported by the specification and the drawings. Applicant has consistently shown that the specification clearly defines the term 'integrated' wherein the relevant elements are within a single device. Applicant has consistently shown that the cited references provide the relevant elements in separate devices geographically remote and apart from a single processor, teaching away from the features required by the claimed invention. The Examiner seems to argue that as long as the elements of the claimed invention are found anywhere in the world, no matter how remote from each other, then that would be enough to reject the claims. If such is the case, then the Examiner goes beyond any broadest reasonable interpretation of even the proffered dictionary definitions and fails to take into account the words in the claims. The claimed invention is directed to a processor in a computer system that has a memory, a central processing unit with an integrated memory controller, and a memory directory all integrated therein. The Examiner has yet to show that the prior art discloses such a processor.

It appears that the issues outstanding in this Application are ripe for appeal. The reason for filing the appeal is to have the issues raised in this Application reviewed by the Board of Patent Appeals and Interferences for a determination on the merits. Applicant's Substitute Appeal Brief complies with the rules and regulations of the United States Patent and Trademark Office and Applicant respectfully submits that the appeal should proceed as requested.

CONCLUSION

Applicant has made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully requests full allowance of all pending claims.

If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

The Commissioner is hereby authorized to charge any fees and credit any overpayments associated with this Application to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

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